

# In the United States Court of Federal Claims

IN RE UPSTREAM ADDICKS AND  
BARKER (TEXAS) FLOOD-CONTROL  
RESERVOIRS

Sub-Master Docket  
No. 17-9001 L

THIS DOCUMENT APPLIES TO:

23-983 L

TWIN LAKES HOMEOWNERS  
ASSOCIATION, INC.

vs.

THE UNITED STATES OF AMERICA

## **SHORT FORM COMPLAINT**

Reference is made to the Master Amended Complaint for Upstream Plaintiffs (doc. 18) filed in the above-styled Sub-Master Docket on January 16, 2018 (“Master Complaint”). Plaintiff incorporates by reference and adopts each allegation and cause of action, except any allegation pertaining to class allegations (including but not limited to paragraphs 92-104).<sup>1</sup>

## **INFORMATION REGARDING PLAINTIFF**

Plaintiff alleges that, in and around Tropical Storm Harvey in August/September 2017 (“Harvey”), water impounded in Barker Reservoir (up to an elevation of 101.5 feet) and in Addicks Reservoir (up to an elevation of 109.1 feet), resulted in real property (the “Real Property”) and/or personal property (the “Personal Property”) belonging to Plaintiff being flooded by the impounded water (collectively, the “Government Action”). The allegations are more fully set forth in the Master Complaint.

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<sup>1</sup> At this time, Plaintiff does not seek class treatment and does not opt into any class related to the Master Complaint. Unless and until presented with notice of class certification, at which time Plaintiff will evaluate and determine whether to opt into such certified class, Plaintiff takes no position on class certification.

1. Name of Plaintiff(s): Twin Lakes Homeowners Association, Inc.
2. The location by address of Plaintiff(s) Real Property subject to Plaintiff(s) allegations of a Fifth Amendment taking without just compensation, including the property's tax number:

0 N Eldridge Pky., Houston, TX 77041	1172850020040; 1169640010013; 1172850020041
0 Sundowner Dr., Houston, TX 77041	1174310070060; 1174310080023; 1174310080024
0 Amber Queen Ct., Houston, TX 77041	1179010090029; 1179010090028
0 Grand Masterpiece Ln, Houston, TX 77041	1179010100019; 1179010110041; 1179010110042; 1179010120021
13200 Twin Lakes Blvd., Houston, TX 77041	1169640040015
0 Twin Lakes Blvd., Houston, TX 77041	1169640010012
0 Tropicana Dr, Houston, TX 77041	1169640060023
0 Olympiad, Houston, TX 77041	1174970030034; 1174970010019

3. If Plaintiff(s) held Real Property at more than one location, please identify addresses and corresponding tax numbers for each location:

N/A

4. At the time of the Government Action, please state Plaintiff(s) property interest in each of the Real Property(s) listed in response to Questions 2 and 3 (e.g. Own, Rent, Leasehold, or other):

Own

5. The location by address of Plaintiff(s)' Personal Property subject to Plaintiff(s)' allegation of a Fifth Amendment Taking without just compensation is as follows:

Same as No. 2

6. If Plaintiff(s) held Personal Property at more than one location, Plaintiff(s) identify the location of such other addresses as follows (please list all addresses):

N/A

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7. Check all of the following boxes if Plaintiff(s) assert the same Causes of Action set forth in the Causes of Action section of the Master Complaint. If Plaintiff(s) elect to assert some, but not all, of the Causes of Action set forth in the Causes of Action section of the Master Complaint, check the boxes that Plaintiff(s) intend to assert below:

- Count I — Temporary Taking of a Flowage Easement without Just Compensation in Violation of the Fifth Amendment.
- Count II — Temporary Taking of Other Property Interests without Just Compensation in Violation of the Fifth Amendment.
- Count III — Permanent Taking of Damaged and Destroyed Property without Just Compensation in Violation of the Fifth Amendment.
- Count IV — Permanent Taking of a Flowage Easement without Just Compensation in Violation of the Fifth Amendment.

Date: June 27, 2023

Respectfully submitted,

AHMAD, ZAVITSANOS, & MENSING PLLC

/s/ Joseph Y. Ahmad

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**ATTORNEYS FOR PLAINTIFF**

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served upon all counsel of record by filing this instrument through the Court's ECF system on June 27, 2023

By: /s/ Joseph Y. Ahmad  
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## ATTORNEYS FOR PLAINTIFF